

UNITED STATES DISTRICT COURT

Northern District of California

LensCrafters, Inc. and EYEXAM of California, Inc.

SUMMONS IN A CIVIL ACTION

V.

E-Filing

Liberty Mutual Fire Insurance Co.; Executive Risk  
Specialty Ins. Co.; United States Fire Ins. Co.; Markel  
American Ins. Co.; and Westchester Fire Ins. Co.

CASE NUMBER:

C 07 2853

EMC

TO: (Name and address of Defendant)

Liberty Mutual Fire Insurance Company  
c/o Corporation Service Company dba CSC - Lawyers Incorporating Service  
P.O. Box 526036  
Sacramento, CA 95852

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Richard DeNatale, Esq.  
Celia Jackson, Esq.  
Heller Ehrman LLP  
333 Bush Street  
San Francisco, CA 94104  
Tel: (415) 772-6000  
Fax: (415) 772-6268

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

RECEIVED

MAY 31 2007

CLERK

DATE

(By) DEPUTY CLERK

WILLIAM BUCKLEY

Attorney or Party without Attorney: Celia M. Jackson (#124508) HELLER EHRMAN LLP 333 Bush Street San Francisco, CA 94104 Attorney for: Plaintiffs	Telephone (415) 772-6000	
Name of Court: United States District Court – Northern District of California		
Short Case Title: LensCrafters, Inc. and EYEXAM of California, Inc. v. Liberty Mutual Fire Insurance Co., et al		
PROOF OF SERVICE		Case Number: C 07 2853 EMC

1. At the time of service I was at least 18 years of age and not a party to this action, and I served copies of the: SEE ATTACHMENT
2. a. Party Served: Liberty Mutual Fire Insurance Company  
b. Person Served: Rhonda McCarty, Authorized to Accept Service on Behalf
3. I served the person named in item 2b
  - a. by personally delivering the copies on:
    - (1) DATE: June 4, 2007
    - (2) TIME: 11:03am
    - (3) ADDRESS: Corporation Services Company  
2730 Gateway Oaks Boulevard  
Sacramento, CA

4. Witness fees were not demanded or paid.

Fee for Service: \$295.00

Person Serving: John B, Spillane  
 Registered California Process Server  
 County: San Francisco Registration #: 937

SpinCycle Legal Services  
 760 Bryant Street, 2<sup>nd</sup> Floor  
 San Francisco, CA 94107  
 (415) 487-0400

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATE: June 4, 2007 Signature: 

ATTACHMENT TO PROOF OF SERVICE – DOCUMENTS SERVED

United States District Court – Northern District of California

Case No. C 07 2853 EMC

1. SUMMONS IN A CIVIL CASE;
2. COMPLAINT FOR DECLARATORY RELIEF; DEMAND FOR JURY TRIAL;
3. CERTIFICATION OF INTERESTED ENTITIES OR PERSONS;
4. NOTICE OF PENDENCY OF OTHER ACTION OR PROCEEDING;
5. ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES;
6. NOTICE OF ASSIGNMENT OF CASE TO A UNITED STATES MAGISTRATE JUDGE FOR TRIAL;
7. STANDING ORDER FOR CIVIL PRACTICES IN CASES ASSIGNED FOR ALL PURPOSES TO MAGISTRATE JUDGE EDWARD M. CHEN;
8. STANDING ORDER FOR ALL JUDGES OF THE NORTHERN DISTRICT OF CALIFORNIA RE CONTENTS OF JOINT CASE MANAGEMENT STATEMENT;
9. CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE [BLANK];
10. DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE [BLANK];
11. ECF REGISTRATION INFORMATION HANDOUT